### MANCINI, WELCH & GEIGER LLP

PAUL R. MANCINI 1198-0 JAMES W. GEIGER 4684 - 0305 East Wakea Avenue, Suite 200

Kahului, Hawaii 96732

Telephone: (808) 871-8351 Facsimile: (808) 871-0732

Attorneys for Petitioners

#### BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

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In the Matter of the Petition of:

WAIKAPU PROPERTIES, LLC; MTP LAND PARTNERS, LLC; WILLIAM S. FILIOS, Trustee of the William S. Filios Separate Property Trust dated APRIL 3, 2000; and WAIALE 905 PARTNERS, LLC,

To Amend the Agricultural Land Use District Boundaries into the Rural Land Use District for certain lands situate at Waikapu, District of Wailuku, Island and County of Maui, State of Hawaii, consisting of 92.394 acres and 57.454 acres, bearing Tax Map Key No. (2) 3-6-004:003 (por) and to Amend the Agricultural Land Use District Boundaries into the Urban Land Use District for certain lands situate at Waikapu, District of Wailuku, Island and County of Maui, State of Hawaii, consisting of 236.326 acres, 53.775 acres, and 45.054 acres, bearing Tax Map Key No. (2) 3-6-002:003

(por), (2) 3-6-004:006 and (2)

3-6-005:007 (por).

) DOCKET NO. A15-798

PETITIONERS' SECOND SUPPLEMENTAL EXHIBIT LIST; CERTIFICATE OF SERVICE

238440pl

# PETITIONERS' SECOND SUPPLEMENTAL EXHIBIT LIST

#### LAND USE COMMISSION

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DOCKET NO./PETITIONERS: A15-798/WAIKAPU PROPERTIES, LLC; MTP LAND PARTNERS, LLC; WILLIAM

S. FILIOS, Trustee of the William S. Filios Separate Property

Trust dated APRIL 3, 2000; and WAIALE 905 PARTNERS, LLC

PARTY: **PETITIONERS** 

### EXHIBIT LIST

NO.	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
1	Chapter 343 Environmental Assessment/		
	Environmental Impact Statement		
	Preparation Notice with Appendices A (A		
	History of Waikapu), B (Botanical and		
	Faunal Surveys), and C (Agricultural		
	Impact Assessment)		
	(Original filed with Petitioners' Petition for		
	Land Use District Boundary Amendment on April		
	16, 2015. Digital version to be submitted).		
2	Maui Island Plan Map No. C3		
	(Original filed with Petitioners' Petition for		
	Land Use District Boundary Amendment on April		
	16, 2015. Digital version to be submitted).		
3	Petitioners' Authorization		
	(Original filed with Petitioners' Petition for		
	Land Use District Boundary Amendment on April		
	16, 2015. Digital version to be submitted).		

4	Quitclaim Deed for TMK Nos. (2) 3-6-	
	004:003 and (2) 3-6-004:006	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
5	Warranty Deeds for TMK No. (2) 3-6-	
	005:007 and Limited Warranty Deed for	
	TMK No. (2) 3-6-005:007	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
6	Warranty Deed for TMK No. (2) 3-6-	
	002:003(por.)	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
7	Affidavit of Mailing of Notice of	
	Filing Petition	
	(Original filed on April 23, 2015. Digital	
	version to be submitted).	
8	Notice of Filing Petition	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
9	Regional Map	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	

10	Tax Map of Petition Area to be	
	reclassified as Rural	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
11	Tax Maps of Petition Area to be	
	reclassified as Urban	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
12	Surveys of Petition Area to be	
Revised	reclassified as Rural	
13	Surveys of Petition Area to be	
Revised	reclassified as Urban	
14	Map showing phases of development of	
	Petition Area	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
15	Map showing soil types within Petition	
	Area	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	

16	Map showing Land Study Bureau Land	
	Classifications within Petition Area	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
17	Map showing Agricultural Lands of	
	Importance of the State of Hawaii	
	classifications within the Petition	
	Area	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
18	Conceptual Master Plan for Waikapu	
	Country Town	
	(Original filed with Petitioners' Petition for	
	Land Use District Boundary Amendment on April	
	16, 2015. Digital version to be submitted).	
19	Affidavit of Mailing of Notice of	
	Filing Amended Petition	
	(Original filed on July 25, 2017. Digital	
	version to be submitted).	
20	Notice of Filing Petition	
	(Original filed with Petitioners' Amended	
	Petition for Land Use District Boundary	
	Amendment on May 1, 2017. Digital version to	
	be submitted).	
21	Phasing Plan for Waikapu Country Town	
	(Original filed with Petitioners' Amended	
	Petition for Land Use District Boundary	
	Amendment on May 1, 2017. Digital version to	
1	be submitted).	

22	Educational Contribution Agreement	
	(Original filed with Petitioners' Amended	
	Petition for Land Use District Boundary	
	Amendment on May 1, 2017. Digital version to be submitted).	
23		
23	Waikapu Country Town Sustainability	
	Plan	
	(Original filed with Petitioners' Amended Petition for Land Use District Boundary	
	Amendment on May 1, 2017. Digital version to	
	be submitted).	
24	Financial Statements for Petitioners	
	(Original filed with Petitioners' Amended	
	Petition for Land Use District Boundary	
	Amendment on May 1, 2017. Digital version to be submitted).	
25	Final Environmental Impact Statement	
23	with Appendices A through S	
	(Original filed on December 23, 2016. Digital	
	version to be submitted).	
26	Bill Mitchell CV	
27	Stacy A. Otomo CV	
28	Natai Basu CV	
29	Steven M. Parabicoli CV	
30	Steven M. Parabicoli Testimony Graphics	
31	Lisa Rotunno Hazuka CV	
32	Final Archaeological Inventory Survey	
	Report For Several Parcels of Land	
	Situated Within Waikapu Ahupua`a	
33	State Historic Preservation Division	
	Acceptance Letter dated September 22,	
	2017	
34	John R. Garretson CV	

35	Barry D. Neal CV	
36	Direct Testimony of Michael Atherton	
37	Direct Testimony of Bill Mitchell	
38	Direct Testimony of Netai Basu	
39	Direct Testimony of Michael J. Summers	
40	Direct Testimony of Lisa Rotunno-Hazuka	
41	Direct Testimony of Hokuao Pellegrino	
42	Direct Testimony of Thomas M. Holliday	
43	Direct Testimony of Stacy A Otomo	
44	Direct Testimony of Robert Hobdy	
45	Direct Testimony of Barry D. Neal	
46	Direct Testimony of John R. Garretson	
47	Direct Testimony of Steven M.	
	Parabicoli	
48	Direct Testimony of Daniel Lum	
49	Direct Testimony of Albert G. Boyce V	
50	Map Referenced During Hokuao Pellegrino	
	Testiony	

DATED: Kahului, Hawai'i, December 29, 2017.

PAUL R. MANCINI

JAMES W. GEIGER

Attorneys for Petitioners

# CERTIFICATE OF SERVICE

I hereby certify that on the date hereof I caused a copy of the foregoing to be duly served the following by hand delivery or first class mail at their last known address as indicated:

Leo R. Asuncion, Jr. (hand delivery) State of Hawaii Office of Planning 235 Beretania Street Honolulu, HI 96813

County of Maui Planning Commission (hand delivery) c/o County of Maui Department of Planning One Main Plaza, Suite 335 2200 Main Street Wailuku, HI 96793

William R. Spence (hand delivery)
Planning Director
County of Maui
Department of Planning
One Main Plaza, Suite 335
2200 Main Street
Wailuku, HI 96793

Maui Electric Company, Limited P.O. Box 398 Kahului, HI 96732

Hawaiian Telcom, Inc. c/o Gwen Massiah 1177 Bishop Street Honolulu, HI 96813

Patrick K. Wong, Esq. (hand delivery) County of Maui Department of Corporation Counsel 200 South High Street Wailuku, HI 96793 Mayor Alan Arakawa County of Maui 200 South High Street Wailuku, HI 96793

Dawn Takeuchi-Apuna, Esq. (hand delivery) State of Hawaii Department of the Attorney General 425 Queen Street Honolulu, HI 96813

DATED: Kahului, Hawai'i, December 29, 2017.

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PAUL R. MANCINI
JAMES W. GEIGER
Attorneys for Petitioners